



## Arlington Zoning Board of Appeals

**Date:** Tuesday, August 13, 2024

**Time:** 7:30 PM

**Location:** Conducted by Remote Participation

**Additional Details:**

### Agenda Items

#### Administrative Items

##### 1. **Conducted by Remote Participation**

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

Please read Governor Healey's Executive Order Suspending Certain Provision of Open Meeting Law for more information regarding virtual public hearings and meetings: [Massachusetts Open Meeting Law](#)

For additional information on Arlington's Zoning Board please visit their website. Reference material for this meeting will be available 48 business hours prior to the meeting and may be viewed on the Board's [Agendas and Minutes](#) page.

Per Board Rules and Regulations, public comments will be accepted during the public comment periods designated on the agenda. Written comments may be provided by email to [ZBA@town.arlington.ma.us](mailto:ZBA@town.arlington.ma.us) 48 hours prior to the start of the meeting.

You are invited to a Zoom meeting.

When: Aug 13, 2024 07:30 PM Eastern Time (US and Canada)

Register in advance for this meeting:

[https://town-arlington-ma-us.zoom.us/meeting/register/tZYtdeGhzMoHNY\\_i5T-YtM-1dPCQ-p3LvnP](https://town-arlington-ma-us.zoom.us/meeting/register/tZYtdeGhzMoHNY_i5T-YtM-1dPCQ-p3LvnP)

After registering, you will receive a confirmation email containing information about joining the meeting.

#### Hearings

##### 2. **Docket #3811 9 Carl Road**

#### Meeting Adjourn



## Town of Arlington, Massachusetts

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### Conducted by Remote Participation

#### **Summary:**

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

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## Town of Arlington, Massachusetts

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### Docket #3811 9 Carl Road

#### ATTACHMENTS:

Type	File Name	Description
❑ Reference Material	#_3811_9_Carl_Road_Application_SP-24-19.pdf	# 3811 9 Carl Road Application SP-24-19
❑ Reference Material	#3811_9_Carl_Road_floorplan.pdf	#3811 9 Carl Road floorplan
❑ Reference Material	Docket_#3811_9_Carl_road_License.pdf	Docket #3811 9 Carl road License
❑ Reference Material	#3811_9_Carl_Road_legal_ad.pdf	#3811 9 Carl Road legal ad

**SP-24-19**

Special Use Permit  
Application (ZBA)  
Status: Active  
Submitted On: 7/8/2024

**Primary Location**

9 CARL RD  
Arlington, MA 02474

**Owner**

FITZPATRICK DANIEL;  
ARINSBURG-FITZPATRICK  
BETH R  
CARL ROAD 9 ARLINGTON, MA  
02474

**Applicant**

Beth Arinsburg-Fitzpatrick  
 845-548-7366 ext. 00000  
 barinsburg@gmail.com  
 9 Carl Road  
Arlington, MA 02474

**Special Permit Criteria**

Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw. \*\*\*Please LIST BYLAW(S)\*\*\*

The power of the Board of Appeal to grant a special permit to allow for home occupation. According to the Town of Arlington Zoning ByLaw 5.9.1. home occupation is permitted in any residential district if:

1. No nonresident is employed
2. No more than 25% of the existing gross floor area (no more than 600 sq ft) is devoted to the home occupation
3. There is no visible display of wares or goods
4. No visible advertising
5. There is no detrimental impact on the neighborhood due to exterior appearance, emission of odor, gas, smoke, noise, electrical disturbance

Explain why the requested use is essential or desirable to the public convenience or welfare.\*

There is a great need in our community for pediatric speech therapists. By adding another pediatric speech pathology practice to the Town of Arlington, I can help alleviate long waiting lists and serve the community in a positive way.

**Explain why the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.\***

I will be seeing one client at a time. This will add at most 1-2 cars to our street at all times. There is ample street parking in front of the property so it will not take away parking spots from residents of the street or create traffic congestion.

**Explain why the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.\***

The clients I will be seeing from my residence will not be using any public water, drainage, or sewer system beyond regular use.

**Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.\***

Home occupation is allowed in a residence per Zoning ByLaw 5.9.1. Pediatric speech pathology is an occupation listed that is allowed to occur in a home residence.

**Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.\***

The requested use will only have a positive impact on the neighborhood and public good.

**Explain why the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.\***

Special permit granted will only have a positive impact on the neighborhood and public good.

## Dimensional and Parking Information

<b>Present Use/Occupancy *</b>	<b>Proposed Use/Occupancy *</b>
Residence	Residence with Home Occupation
<b>Existing Number of Dwelling Units*</b>	<b>Proposed Number of Dwelling Units*</b>
1	1
<b>Existing Gross Floor Area (Sq. Ft.)*</b>	<b>Proposed Gross Floor Area (Sq. Ft.)*</b>
2700	2700
<b>Existing Lot Size (Sq. Ft.)*</b>	<b>Proposed Lot Size (Sq. Ft.)*</b> 
5227	5227
<b>Minimum Lot Size required by Zoning*</b>	<b>Existing Frontage (ft.)*</b>
0	0
<b>Proposed Frontage (ft.)*</b>	<b>Minimum Frontage required by Zoning*</b>
0	0
<b>Existing Floor Area Ratio*</b>	<b>Proposed Floor Area Ratio*</b>
0	0
<b>Max. Floor Area Ratio required by Zoning*</b>	<b>Existing Lot Coverage (%)*)*</b>
0	0
<b>Proposed Lot Coverage (%)*)*</b>	<b>Max. Lot Coverage required by Zoning*</b>
0	0

<b>Existing Lot Area per Dwelling Unit (Sq. Ft.)*</b>	<b>Proposed Lot Area per Dwelling Unit (Sq. Ft.)*</b>
0	0
<b>Minimum Lot Area per Dwelling Unit required by Zoning*</b>	<b>Existing Front Yard Depth (ft.)*</b>
0	0
<b>Proposed Front Yard Depth (ft.)*</b>	<b>Minimum Front Yard Depth required by Zoning*</b>
0	0
<b>Existing Left Side Yard Depth (ft.)*</b>	<b>Proposed Left Side Yard Depth (ft.)*</b>
0	0
<b>Minimum Left Side Yard Depth required by Zoning*</b>	<b>Existing Right Side Yard Depth (ft.)*</b>
0	0
<b>Proposed Right Side Yard Depth (ft.)*</b>	<b>Minimum Right Side Yard Depth required by Zoning*</b>
0	0
<b>Existing Rear Yard Depth (ft.)*</b>	<b>Proposed Rear Yard Depth (ft.)*</b>
0	0
<b>Minimum Rear Yard Depth required by Zoning*</b>	<b>Existing Height (stories)</b>
0	0
<b>Proposed Height (stories)*</b>	<b>Maximum Height (stories) required by Zoning*</b>
0	0

<b>Existing Height (ft.)*</b>	<b>Proposed Height (ft.)*</b>
0	0
<b>Maximum Height (ft.) required by Zoning*</b>	
0	
<b>For additional information on the Open Space requirements, please refer to Section 2 of the Zoning Bylaw.</b>	
<b>Existing Landscaped Open Space (Sq. Ft.)*</b>	<b>Proposed Landscaped Open Space (Sq. Ft.)*</b>
0	0
<b>Existing Landscaped Open Space (% of GFA)*</b>	<b>Proposed Landscaped Open Space (% of GFA)*</b>
0	0
<b>Minimum Landscaped Open Space (% of GFA) required by Zoning*</b>	<b>Existing Usable Open Space (Sq. Ft.)*</b>
0	0
<b>Proposed Usable Open Space (Sq. Ft.)*</b>	<b>Existing Usable Open Space (% of GFA)*</b>
0	0
<b>Proposed Usable Open Space (% of GFA)*</b>	<b>Minimum Usable Open Space required by Zoning*</b>
0	0
<b>Existing Number of Parking Spaces*</b>	<b>Proposed Number of Parking Spaces*</b>
2	0

<b>Minimum Number of Parking Spaces required by Zoning*</b>	<b>Existing Parking area setbacks</b>
0	0
<b>Proposed Parking area setbacks *</b>	<b>Minimum Parking Area Setbacks required by Zoning*</b>
0	0
<b>Existing Number of Loading Spaces</b>	<b>Proposed Number of Loading Spaces*</b>
0	0
<b>Minimum Number of Loading Spaces required by Zoning*</b>	<b>Existing Slope of proposed roof(s) (in. per ft.)*</b>
0	0
<b>Proposed Slope of proposed roof(s) (in. per ft.)*</b>	<b>Minimum Slope of Proposed Roof(s) required by Zoning*</b>
0	0
<b>Existing type of construction*</b>	<b>Proposed type of construction*</b>
home residence	n/a

## Open Space Information

<b>Existing Total Lot Area*</b>	<b>Proposed Total Lot Area*</b>
5227	5227
<b>Existing Open Space, Usable*</b>	<b>Proposed Open Space, Usable*</b>
0	0

**Existing Open Space, Landscaped\***

0

**Proposed Open Space, Landscaped\***

0

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## Gross Floor Area Information

**Accessory Building, Existing Gross Floor Area**

0

**Accessory Building, Proposed Gross Floor Area**

0

**Basement or Cellar, Existing Gross Floor Area **

500

**Basement or Cellar, Proposed Gross Floor Area**

500

**1st Floor, Existing Gross Floor Area**

1100

**1st Floor, Proposed Gross Floor Area**

1100

**2nd Floor, Existing Gross Floor Area**

1100

**2nd Floor, Proposed Gross Floor Area**

1100

**3rd Floor, Existing Gross Floor Area**

0

**3rd Floor, Proposed Gross Floor Area**

0

**4th Floor, Existing Gross Floor Area**

0

**4th Floor, Proposed Gross Floor Area**

0

**5th Floor, Existing Gross Floor Area**

0

**5th Floor, Proposed Gross Floor Area**

0

**Attic, Existing Gross Floor Area **

0

**Attic, Proposed Gross Floor Area**

0

Parking Garages, Existing Gross Floor Area 	Parking Garages, Proposed Gross Floor Area
350	350
All weather habitable porches and balconies, Existing Gross Floor Area	All weather habitable porches and balconies, Proposed Gross Floor Area
0	0
Total Existing Gross Floor Area	Total Proposed Gross Floor Area
3050  	3050  

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## APPLICANT DECLARATION (Arlington Residential Design Guidelines)

By entering my name below, I hereby attest that I have reviewed the following:

- Arlington Residential Design Guidelines

and under the pains and penalties of perjury that all of the information contained in this application is true and accurate to the best of my knowledge and understanding.


I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct, and that clicking this checkbox and typing my name in the field below will act as my signature.\*




Applicant's Signature\*

 Beth Arinsburg-Fitzpatrick  
Jul 2, 2024


main floor



# basement



## second floor





COMMONWEALTH OF MASSACHUSETTS  
DIVISION OF OCCUPATIONAL LICENSURE

BOARD OF

SPEECH-LANGUAGE PATH AUDIOLOGY

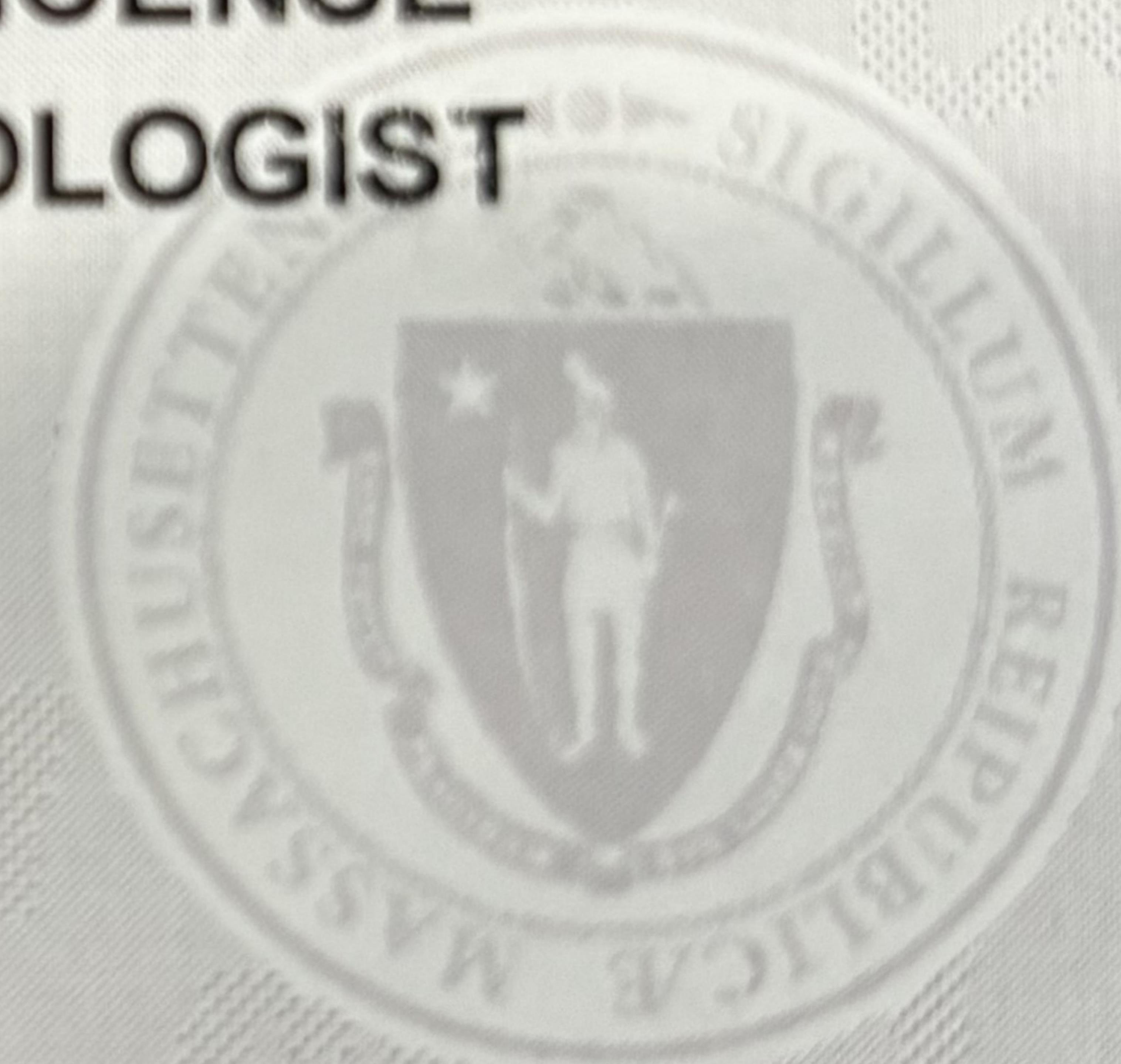
ISSUES THE FOLLOWING LICENSE

SPEECH-LANGUAGE PATHOLOGIST

BETH ARINSBURG

9 CARL RD

ARLINGTON, MA 02474-1427



7949

08/22/2024

327891

LICENSE NUMBER

EXPIRATION DATE

SERIAL NUMBER

LICENSEE SIGNATURE



Town of Arlington  
Zoning Board of Appeals  
51 Grove Street  
Arlington, Massachusetts 02476  
781-316-3396  
[www.arlingtonma.gov](http://www.arlingtonma.gov)

### **LEGAL NOTICE**

Notice is herewith given in accordance with the provisions of Section 3.2.2 of the Zoning Bylaws that there has been filed, by **Beth R Arinsburg-Fitzpatrick**, on July 8, 2024, a petition seeking to alter their property located at **9 Carl Road - Block Plan 114.0-0007-0009.0**. Said petition would require a **Special Permit under 5.3.1** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening at 7:30 P.M on August 13, 2024, as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**  
<https://www.arlingtonma.gov/town-governance/boards-and-committees/zoning-board-of-appeals/zba-calendar> and choose the date of the meeting you wish to attend.

**For documentation relating to this petition, visit the ZBA website 48 hours prior to the hearing at <https://www.arlingtonma.gov/town-governance/boards-and-committees/zoning-board-of-appeals/agendas-minutes>**

### **DOCKET NO 3811**

**Zoning Board of Appeals**  
**Christian Klein, RA, Chair**

Please direct any questions to: **ZBA@town.arlington.ma.us**